IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7168 of 2006()

CRIME NO.960/06 OF KUNDARA POLICE STATION

PETITIONERS/ACCUSED 1 TO 3:

---

1. ABDUL KHALAM, S/O. ABOOBACKER KUNJU,
   THADATHIL PUTHEN VEEDU, PERUMPUZHA P.O.,KOLLAM.

2. ANAZ, S/O. ABDUL KHALAM,
   THADATHIL PUTHEN VEEDU, PERUMPUZHA P.O., KOLLAM.

3. ANEESH @ ANI, S/O. ABDUL KHALAM,
   -DO- -DO-.

BY ADV. SRI.C.R.JAYAKUMAR

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.7168 OF 2006

DATED THIS THE 5TH DAY OF DECEMBER, 2006

O R D E R

Petitioners who are accused Nos. 1 to 3 in Crime No.960/06 of Kundara Police Station for offences punishable under sections 323 and 326 read with section 34 IPC, seeks anticipatory bail. The occurrence took place at 9 PM on 25.10.2006 during which the de facto complainant is alleged to have been hit with torch, etc. and he has sustained injuries including fracture of the frontal bone.

2. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail, within 10 days from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn